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Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,

Case No. 3:20-cr-00526-BR

Plaintiff,

v.

DAVID SAMUEL HARRISON
MCKINLEY,

DECLARATION OF COUNSEL IN
SUPPORT OF UNOPPOSED
MOTION TO CONTINUE TRIAL
DATE

Defendant.

I, Conor Huseby, declare:

1. I represent David McKinley who is charged with one count of Unarmed Bank Robbery. Trial is set for April 20, 2021. Mr. McKinley is out of custody and attending inpatient drug treatment. He is expected to graduate from drug treatment in the next week, after which, he has made arrangements to transition into sober housing with his

pretrial supervising officer. Mr. McKinley has thrived in treatment and is in compliance with the conditions of his pretrial release.

2. This is the second request to continue a trial date from the parties in this case.

3. Additional time is needed to gather records, conduct interviews, research legal issues and file potential motions, and consult with Mr. McKinley regarding his rights and options.

4. The failure to grant a continuance in this case would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(7)(A).

5. I have previously discussed this requested continuance with counsel for the government, Gregory Nyhus, and he has no objection to this requested continuance. Both parties expect to be able to resolve this case before the next trial setting.

6. I have spoken with Mr. McKinley, explained the reasons for requesting a continuance, and the rights that he has under the Speedy Trial Act. Mr. McKinley agrees with defense counsel's request for a continuance and waives his rights under the Speedy Trial Act.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge and belief and that this declaration was executed on April 1, 2021, in Portland, Oregon.

/s/ Conor Huseby

Conor Huseby

Assistant Federal Public Defender